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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 JOE W. JEAN-LOUIS,)
09 Plaintiff,) CASE NO. C12-0150-MJP-MAT
10 v.)
11 GOVERNOR OF WASHINGTON, *et al.*,) REPORT AND RECOMMENDATION
12 Defendants.)
13 _____)

14 Plaintiff Joe Jean-Louis is a federal prisoner who is currently incarcerated at the United
15 States Penitentiary in Terre Haute, Indiana. On January 27, 2012, plaintiff submitted to this
16 Court for filing a complaint in which he alleges that the Governor of the State of Washington
17 and the Mayor of the City of Seattle have been negligent in failing to develop realistic civil
18 defense plans and in failing to build underground disaster shelters to protect the public from
19 radiation. (*See* Dkt. No. 1.) Plaintiff failed to submit with his complaint either the \$350 filing
20 fee or an application for leave to proceed with this action *in forma pauperis*. The Clerk
21 therefore sent plaintiff a letter advising him that he would have to submit either the entire filing
22 fee, or an applications for *in forma pauperis* status, on or before February 27, 2012, and that his

01 failure to do so could result in dismissal of this case. (Dkt. No. 3.) The Clerk also sent
02 plaintiff the appropriate *in forma pauperis* application forms. (*See id.*) To date, plaintiff has
03 submitted neither the filing fee nor an application for leave to proceed *in forma pauperis*.

04 As plaintiff has had ample time to comply with the filing fee requirement, but has failed
05 to do so, this Court recommends that the instant action be dismissed without prejudice for
06 failure to prosecute. A proposed Order accompanies this Report and Recommendation.

07 DATED this 19th day of March, 2012.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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